

**SUMMARIZED MINUTES  
SCOTTSDALE CITY COUNCIL  
TUESDAY, AUGUST 30, 2005**



**CITY HALL KIVA  
3939 N. DRINKWATER BOULEVARD  
SCOTTSDALE, AZ 85251**

**CALL TO ORDER**

Vice Mayor Drake called to order a Regular Meeting of the Scottsdale City Council on Tuesday, August 30, 2005 in the Kiva, City Hall, at 5:04 P.M.

**ROLL CALL**

Present: Vice Mayor Betty Drake  
Council Members Wayne Ecton, W.J. "Jim" Lane,  
Robert Littlefield, Ron McCullagh, and Kevin Osterman

Absent: Mayor Mary Manross

Also Present: City Manager Jan Dolan  
Acting City Attorney Deborah Robberson  
City Clerk Carolyn Jagger

**PLEDGE OF ALLEGIANCE** - Councilman Littlefield

**PRESENTATIONS/INFORMATION UPDATES** - An announcement was made regarding the security system recently installed in City Hall for the protection of visitors, staff, and public officials.

**PUBLIC COMMENT** - No Public Comment Cards were received.

**CONSENT AGENDA        ITEMS 1-15**

Items 2, 6, 10, and 14 were removed from the Consent Agenda for separate action.

**1.     The Pick Six Patio Addition**

**Request:** Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a permanent extension of premises to add a patio.

**Location:** 10855 N. Frank Lloyd Wright Boulevard, Suite 100

**Reference:** 11-EX-2005

**Staff Contacts:** Kroy Ekblaw, Executive Assistant for Special Projects, 480-312-7064; [kekblaw@scottsdaleaz.gov](mailto:kekblaw@scottsdaleaz.gov); Connie Padian, Customer Service Chief Officer, 480-312-2664, [cpadian@scottsdaleaz.gov](mailto:cpadian@scottsdaleaz.gov)

**2. Pepper House Restaurant Liquor License**

REMOVED FROM CONSENT AGENDA FOR SEPARATE ACTION. SEE PAGE 4.

**3. Daphne's Greek Café Restaurant Liquor License**

**Request:** Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 12 (restaurant) liquor license for a newly licensed location.

**Location:** 16447 N. Scottsdale Road, Suite 101

**Reference:** 37-LL-2005

**Staff Contacts:** Kroy Ekblaw, Executive Assistant for Special Projects, 480-312-7064; [kekblaw@scottsdaleaz.gov](mailto:kekblaw@scottsdaleaz.gov); Connie Padian, Customer Service Chief Officer, 480-312-2664, [cpadian@scottsdaleaz.gov](mailto:cpadian@scottsdaleaz.gov)

**4. Chop and Wok Restaurant Liquor License**

**Request:** Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 12 (restaurant) liquor license for a newly licensed location.

**Location:** 7136 E. Shea Boulevard

**Reference:** 38-LL-2005

**Staff Contacts:** Kroy Ekblaw, Executive Assistant for Special Projects, 480-312-7064; [kekblaw@scottsdaleaz.gov](mailto:kekblaw@scottsdaleaz.gov); Connie Padian, Customer Service Chief Officer, 480-312-2664, [cpadian@scottsdaleaz.gov](mailto:cpadian@scottsdaleaz.gov)

**5. Uncorked – The Unpretentious Wine Bar Liquor License**

SEE PAGE 7 FOR FURTHER DISCUSSION/ACTION ON THIS ITEM.

**6. Convenient Corner Market Beer and Wine Store Liquor License**

REMOVED FROM CONSENT AGENDA FOR SEPARATE ACTION. SEE PAGE 5.

**SEE PAGES 7 AND 8 FOR FURTHER DISCUSSION/ACTION ON ITEM 6.**

**7. Skeptical Chymist Restaurant Liquor License**

**Request:** Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 12 (restaurant) liquor license for a newly licensed location.

**Location:** 15688 N. Pima Road, Suites C5 and C6

**Reference:** 41-LL-2005

**Staff Contact(s):** Kroy Ekblaw, Executive Assistant for Special Projects, 480-312-7064; [kekblaw@scottsdaleaz.gov](mailto:kekblaw@scottsdaleaz.gov); Connie Padian, Customer Service Chief Officer, 480-312-2664, [cpadian@scottsdaleaz.gov](mailto:cpadian@scottsdaleaz.gov)

**8. Urban Land Institute Study of the Papago Salado Area**

**Request:** Authorize Resolution No. 6713, resolving that the City of Scottsdale will join with the cities of Phoenix and Tempe, the Papago Salado Association, and with the

Arizona District Council of the Urban Land Institute (ULI) to propose a ULI study of the Papago Salado area.

**Related Policies, References:** Contract No. 2004-103-COS with the Papago Salado Association, Inc. to promote the Papago Salado region's destination and cultural heritage.

**Staff Contacts:** Robert J. Cafarella, Preservation Division Director, 480-312-2577, [rcafarella@scottsdaleaz.gov](mailto:rcafarella@scottsdaleaz.gov); Peggy Carpenter, Intergovernmental Relations Coordinator, (480) 312-2683, [pcarpenter@Scottsdaleaz.gov](mailto:pcarpenter@Scottsdaleaz.gov)

Responding to Councilman Littlefield, City Manager Jan Dolan said no funding was involved in this contract. Vice Mayor Drake added that a team of experts from the Urban Land Institute would be working with Tempe, Phoenix, and Scottsdale to provide ideas for long-term development at Papago Park. There will be extensive public outreach and many opportunities for public involvement throughout the process.

**9. DC Ranch Parcel 1.12 Final Plat**

**Request:** Consider final plat approval for a 38-townhome development on 10+/- acres.

**Location:** 17800 N. 94<sup>th</sup> Street

**Related Policies, References:** 8-PP-2004; 54-ZN-1989, #1 through 8; 5-MP-2002, Community Facilities District

**Staff Contacts:** Kroy Ekblaw, Executive Assistant for Special Projects, 480-312-7064; [kekblaw@scottsdaleaz.gov](mailto:kekblaw@scottsdaleaz.gov); Randy Grant, Chief Planning Officer, 480-312-7995, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)

**10. Princess Mixed Use Abandonment**

REMOVED FROM CONSENT AGENDA FOR SEPARATE ACTION. SEE PAGE 5.

**11. Curves Conditional Use Permit**

**Request:** Consider a Conditional Use Permit for a health studio in an existing building located at 4408 and 4416 North Miller Road with Highway Commercial (C-3) zoning.

**Location:** 4408 and 4416 N. Miller Road

**Reference:** 8-UP-2005

**Staff Contact(s):** Kroy Ekblaw, Executive Assistant for Special Projects, 480-312-7064; [kekblaw@scottsdaleaz.gov](mailto:kekblaw@scottsdaleaz.gov); Randy Grant, Chief Planning Officer, 480-312-7995, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)

**12. Be Fit Stay Fit Conditional Use Permit**

**Request:** Consider a Conditional Use Permit for a health studio in a suite of an existing building located at 15233 North Northsight Boulevard with Highway Commercial District (C-3) zoning.

**Location:** 15233 North Northsight Boulevard, Suite 115

**Reference:** 10-UP-2005

**Staff Contacts:** Kroy Ekblaw, Executive Assistant for Special Projects, 480-312-7064; [kekblaw@scottsdaleaz.gov](mailto:kekblaw@scottsdaleaz.gov); Randy Grant, Chief Planning Officer, 480-312-7995, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)

**13. Sandalo Townhomes Non-Major General Plan Amendment**

**Requests:**

1. Approve non-major General Plan amendment from Office to Urban Neighborhoods on a 2.19 +/- acre parcel located at the northwest corner of 70<sup>th</sup> Street and Cochise Road.

2. Approve rezoning from Service Residential District (S-R) to Multi-family Residential District (R-5) on a 2.19 +/- acre parcel located at the northwest corner of 70<sup>th</sup> Street and Cochise Road.
3. Adopt Resolution No. 6717 affirming the General Plan Amendment.
4. Adopt Ordinance No. 3634 affirming the rezoning.

**Location:** 6940 E. Cochise Road

**References:** 3-GP-2005, 5-ZN-2005

**Staff Contacts:** Kroy Ekblaw, Executive Assistant for Special Projects, 480-312-7064; [kekblaw@scottsdaleaz.gov](mailto:kekblaw@scottsdaleaz.gov); Randy Grant, Chief Planning Officer, 480-312-7995, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)

**14. La Rosa Place Rezoning**

REMOVED FROM CONSENT AGENDA FOR SEPARATE ACTION. SEE PAGE 6.

**15. 90<sup>th</sup> Street and Cactus Road Rezoning**

**Requests:**

1. Approve rezoning from Single Family Residential District (R1-35) to Single Family Residential District, Planned Residential District (R1-18 PRD) with amended development standards on a 6.83 +/- acre parcel at the northeast corner of 90<sup>th</sup> Street and Cactus Road.
2. Adopt Ordinance No. 3635 affirming the above rezoning and amended development standards.

**Location:** Northeast corner of 90<sup>th</sup> Street and Cactus Road (9002 and 9024 Cactus)

**Reference:** 8-ZN-2005

**Staff Contacts:** Kroy Ekblaw, Executive Assistant for Special Projects, 480-312-7064; [kekblaw@scottsdaleaz.gov](mailto:kekblaw@scottsdaleaz.gov); Randy Grant, Chief Planning Officer, 480-312-7995, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)

**Revised stipulations for Item 15, Case 8-ZN-2005, were provided for the record.**

**MOTION AND VOTE – CONSENT AGENDA**

COUNCILMAN LITTLEFIELD MOVED FOR APPROVAL OF CONSENT AGENDA ITEMS 1, 3, 4, 5, 7, 8, 9, 11, 12, 13, AND 15 (WITH REVISED STIPULATIONS FOR 15). COUNCILMAN OSTERMAN SECONDED THE MOTION, WHICH CARRIED 6-0.

**ITEMS REMOVED FROM CONSENT AGENDA FOR SEPARATE ACTION:**

**2. Pepper House Restaurant Liquor License**

**Request:** Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 12 (restaurant) liquor license for a new location.

**Location:** 4252 N. Drinkwater Boulevard

**Reference:** 26-LL-2005

**Staff Contacts:** Kroy Ekblaw, Executive Assistant for Special Projects, 480-312-7064; [kekblaw@scottsdaleaz.gov](mailto:kekblaw@scottsdaleaz.gov); Connie Padian, Customer Service Chief Officer, 480-312-2664, [cpadian@scottsdaleaz.gov](mailto:cpadian@scottsdaleaz.gov)

Council and Staff discussion:

- Staff outlined requirements and State guidelines for applicants of a Series 6 Liquor License versus a Series 12, noting that when restaurants do not meet sales requirements for a Series 12 license, they sometimes re-apply for a Series 6 license.

- Councilmembers stressed they would be resistant to allowing changes from a Series 12 to a Series 6 license. A Conditional Use Permit would be required by the City if a restaurant requested a change to a Series 6 license.

## **MOTION AND VOTE – ITEM 2**

COUNCILMAN ECTON MOVED FOR APPROVAL OF ITEM 2, CASE 26-LL-2005.  
COUNCILMAN LITTLEFIELD SECONDED THE MOTION, WHICH CARRIED 6-0.

### **6. Convenient Corner Market Beer and Wine Store Liquor License**

**Request:** Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 10 (beer and wine store) liquor license for an existing location under new ownership.

**Location:** 9330 E. Poinsettia Drive, Suite 108

**Reference:** 40-LL-2005

**Staff Contacts:** Kroy Ekblaw, Executive Assistant for Special Projects, 480-312-7064; [kekblaw@scottsdaleaz.gov](mailto:kekblaw@scottsdaleaz.gov); Connie Padian, Customer Service Chief Officer, 480-312-2664, [cpadian@scottsdaleaz.gov](mailto:cpadian@scottsdaleaz.gov)

After Council and Staff discussion regarding an applicant's use of three different names, it was decided to continue this item to allow time for clarification. **(See pages 7 and 8 for further discussion on Item 6.)**

## **MOTION AND VOTE – ITEM 6**

COUNCILMAN ECTON MOVED TO CONTINUE ITEM 6, CASE 40-LL-2005, TO SEPTEMBER 6, 2005. COUNCILMAN LITTLEFIELD SECONDED THE MOTION, WHICH CARRIED 6-0.

### **10. Princess Mixed Use Abandonment**

#### **Requests:**

1. Abandon Cottage (Casita) Terrace and Hacienda Way right-of-way located east of Scottsdale Road and south of Princess Boulevard.
2. Reserve emergency access and utility easements over the abandoned right-of-way until easements are reestablished pursuant to the approved Princess Hotel master development plan.
3. Adopt Resolution No. 6711 vacating and abandoning a public right-of-way.

**Location:** Near southeast corner of Princess Boulevard and Scottsdale Road

**Reference:** 10-AB-2005

**Staff Contacts:** Kroy Ekblaw, Executive Assistant for Special Projects, 480-312-7064; [kekblaw@scottsdaleaz.gov](mailto:kekblaw@scottsdaleaz.gov); Randy Grant, Chief Planning Officer, 480-312-7995, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)

Vice Mayor Drake declared a conflict of interest, and left the dais.

## **MOTION AND VOTE – ITEM 10**

COUNCILMAN LITTLEFIELD MOVED FOR APPROVAL OF ITEM 10, CASE 10-AB-2005.  
COUNCILMAN ECTON SECONDED THE MOTION, WHICH CARRIED 5-0, WITH VICE MAYOR DRAKE ABSTAINING.

**14. La Rosa Place Rezoning**

**Requests:**

1. Approve rezoning from Single Family Residential District (R1-7) to Multiple Family Residential District (R-5) on a .8 +/- acre parcel located at 2919 N 75<sup>th</sup> Place, 7520 E. Thomas Road, and 2913 N. 75<sup>th</sup> Place.
2. Adopt Ordinance No. 3633 affirming the rezoning.

**Locations:** 2919 North 75<sup>th</sup> Place, 2913 North 75<sup>th</sup> Place, and 7520 East Thomas Road

**Reference:** 20-ZN-2004

**Staff Contact(s):** Kroy Ekblaw, Executive Assistant for Special Projects, 480-312-7064; [kekblaw@scottsdaleaz.gov](mailto:kekblaw@scottsdaleaz.gov); Randy Grant, Chief Planning Officer, 480-312-7995, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)

Responding to Councilman Ecton, staff clarified this case involved the sale of town home residences ranging in price from \$250,000 to \$275,000.

**MOTION AND VOTE – ITEM 14**

COUNCILMAN ECTON MOVED TO APPROVE ITEM 14, CASE 20-ZN-2004. COUNCILMAN LITTLEFIELD SECONDED THE MOTION, WHICH CARRIED 6-0.

**REGULAR AGENDA      ITEM 16**

**16. Coronado Golf Course**

**Request:** Consider the Odanoroc L.L.C. letter of August 17, 2005 offering to negotiate a lease agreement for the continued operation of the Coronado Golf Course because no responses to the Request for Proposal were received.

**Related Policies, References:** 2-UP-65 Coronado Golf Course Use Permit; City Council direction on June 21, 2005 to proceed with issuance of an RFP for a golf Course utilizing the 36-acre City property with an option to include other adjacent property.

**Staff Contact:** Debra Baird, Community Services General Manager, 480-312-2480, [dbaird@scottsdaleaz.gov](mailto:dbaird@scottsdaleaz.gov)

Staff reviewed requirements, based on neighborhood input, outlined in the RFP for this property. There were no official RFP responses, but Mr. Planeta, the owner of the adjacent eight-acre property, had submitted a letter expressing interest in negotiating a new lease for the City's property. If directed by Council, staff is prepared to aggressively pursue negotiations, brief the City Manager by the end of the week, and update the Council the following week.

Vice Mayor Drake opened public testimony:

**James McKay**, 2647 N Miller Rd, 85257, urged staff to talk with Mr. Planeta, who has always been a key participant. Mr. McKay believes the RFP included great ideas, but was very strict. He said the Council should strive for affordable golf.

Vice Mayor Drake closed public testimony. One additional comment card was received from a citizen in favor of the item, but not wishing to speak.

Council discussion:

- Councilmembers believe the public meeting and the input received were good, resulting in an RFP with clear expectations. Concern was expressed regarding the lack of response to the RFP.

- It was agreed that the City Manager should be given authority to negotiate a lease contract. Course maintenance, upgrades, lighting, and other concerns identified by the neighbors, were identified as critically important and should not be diluted in the process of negotiation.
- The City should receive fair market value for the lease and the land should be maintained as an attractive, viable property.
- Councilman Osterman stated he still has not discounted the idea of using the property as a park extension to El Dorado Park that would be enjoyed by surrounding residents.
- It was noted that in trying to accommodate neighbors and golfers, it may be difficult to retain affordable golf.
- It was stated that neighbors must continue to be involved in the process.

### **MOTION AND VOTE – ITEM 16**

COUNCILMAN LITTLEFIELD MOVED TO DIRECT THE CITY MANAGER TO NEGOTIATE WITH THE EXISTING OWNER OF THE ADJACENT EIGHT-ACRE PROPERTY TO CONTINUE THE EXISTING GOLF COURSE OPERATION. COUNCILMAN LANE SECONDED THE MOTION, WHICH CARRIED 6-0.

City Manager Jan Dolan said staff would bring the item forward in Executive Session to obtain more specific negotiating parameters. Any resulting agreements will be finalized at a public meeting.

### **MAYOR AND COUNCIL ITEMS**

City Manager Jan Dolan clarified that a previous vote to continue an agenda item due to a name issue should have been identified as Item 5 rather than Item 6.

Votes were taken again as follows:

#### **5. Uncorked – The Unpretentious Wine Bar Liquor License**

**Request:** Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 7 (beer and wine bar) liquor license for a new location.

**Location:** 16427 N. Scottsdale Road, Suite 118-A

**Reference:** 39-LL-2005

**Staff Contacts:** Kroy Ekblaw, Executive Assistant for Special Projects, 480-312-7064; [kekblaw@scottsdaleaz.gov](mailto:kekblaw@scottsdaleaz.gov); Connie Padian, Customer Service Chief Officer, 480-312-2664, [cpadian@scottsdaleaz.gov](mailto:cpadian@scottsdaleaz.gov)

COUNCILMAN MCCULLAGH MOVED TO RESCIND THE PREVIOUS VOTE TO APPROVE ITEM 5. COUNCILMAN LITTLEFIELD SECONDED THE MOTION, WHICH CARRIED 6-0.

COUNCILMAN ECTON MOVED TO CONTINUE ITEM 5, CASE 39-LL-2005, TO SEPTEMBER 6, 2005. COUNCILMAN MCCULLAGH SECONDED THE MOTION, WHICH CARRIED 5-1, WITH COUNCILMAN LANE DISSENTING.

#### **6. Convenient Corner Market Beer and Wine Store Liquor License**

**Request:** Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 10 (beer and wine store) liquor license for an existing location under new ownership.

**Location:** 9330 E. Poinsettia Drive, Suite 108

**Reference:** 40-LL-2005

**Staff Contacts:** Kroy Ekblaw, Executive Assistant for Special Projects, 480-312-7064; [kekblaw@scottsdaleaz.gov](mailto:kekblaw@scottsdaleaz.gov); Connie Padian, Customer Service Chief Officer, 480-312-2664, [cpadian@scottsdaleaz.gov](mailto:cpadian@scottsdaleaz.gov)

COUNCILMAN MCCULLAGH MOVED TO RESCIND THE CONTINUANCE OF ITEM 6 TO SEPTEMBER 6, 2005. COUNCILMAN OSTERMAN SECONDED THE MOTION, WHICH CARRIED 6-0.

COUNCILMAN OSTERMAN MOVED FOR APPROVAL OF ITEM 6, CASE 40-LL-2005. COUNCILMAN ECTON SECONDED THE MOTION, WHICH CARRIED 6-0.

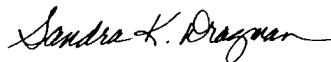
**CITY MANAGER'S REPORT** - None

**PUBLIC COMMENT**

**Nancy Cantor**, 7777 E Heatherbrae Avenue, 85251, expressed concern about the lack of communication with residents regarding redevelopment of southern Scottsdale, the high-density homes being constructed, the effect on City services, and the lack of a housing market for the working class. Ms. Cantor encouraged the Council to better utilize the Housing Board and the Neighborhood Enhancement Commission when dealing with these issues, and suggested that a document or vision be prepared to address concerns of current residents.

**ADJOURNMENT** With no further business to discuss, the meeting adjourned at 5:51 P.M.

**SUBMITTED BY:**



**Sandy Dragman**  
Recording Secretary

**REVIEWED BY:**



**Carolyn Jagger**  
City Clerk

Officially approved by the City Council on September 20, 2005

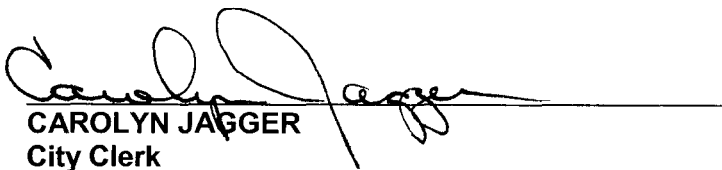


### **C E R T I F I C A T E**

I hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the Regular Meeting of the City Council of Scottsdale, Arizona held on the 30th day of August 2005.

I further certify that the meeting was duly called and held, and that a quorum was present.

**DATED** this 20th day of September 2005.



CAROLYN JAGGER  
City Clerk